

EXHIBIT 9

**Dec. 10, 2010 Charles Boerema
Deposition Excerpts**

1 UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION
4

5 _____
6 MELISSA DRAKE,

7 MADELYN DeJUSTO, and

8 DOUGLAS A. SPRINGSTEAD,

9 Plaintiffs,

Case No. 1:10-CV-185

10 v.

Honorable Robert J. Jonker

11 BRIANNA SCOTT,

12 Defendant.
13 _____

14 DEPOSITION OF: CHARLES BOEREMA
15
16

17 DATE: December 10, 2010

18 TIME: 9:30 a.m.

19 LOCATION: Rhoades, McKee

20 161 Ottawa Avenue, N.W., Suite 600

21 Grand Rapids, Michigan

22 REPORTER: Kelly M. Kane, RPR, CSR-1470
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24
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1 entails the rescued email files, trying to basically
2 reconnect or reestablish a connection between emails and the
3 individual -- the users.

4 Q. Now, are emails that go through Microsoft Exchange stored on
5 the server?

6 A. Yes, in one database.

7 Q. And that's everyone in the office that uses Exchange?

8 A. Correct.

9 Q. And then on January 11th it says, install external hard
10 drive for backups, map drive for Melissa. Do you see that?

11 A. Yes.

12 Q. Do you know what that means, either based on personal
13 experience or as an expert?

14 A. From personal experience, the "install external hard drive"
15 would more than likely be a USB hard drive on the server.

16 I do remember that a main point of grief with that
17 catastrophic failure was they had no backups. And so we
18 were really scrambling to try to recover any data that we
19 could. And so I vaguely remember us encouraging them that,
20 you need some form of backup, and an external hard drive was
21 the easiest, cheapest alternative rather than putting in a
22 tape drive. So that portion of it would be more than likely
23 an external USB drive physically connected to the server.

24 Q. And would that external USB drive back up the Exchange
25 emails?